

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF VIRGINIA
Lynchburg Division**

In re CARLA MARIE GARRETT,) Case No. 13-61193-LYN
)
Debtors,) Chapter 7
)
)

ORDER EXTENDING TIME FOR DEBTOR TO PAY FILING FEES

On June 4, 2013, Carla Marie Garrett, (“the Debtor”) filed a chapter 7 petition with the Clerk of the Bankruptcy Court in Lynchburg, Virginia. The first meeting of creditors will be held on July 16, 2013.

On June 4, 2013, Debtor filed a petition to proceed in forma pauperis¹, seeking an order exempting her from payment of the filing fee due in this case. The matter was set down for hearing on July 11, 2013. Due to the level of the Debtor's income, the Court advised her that it could not waive the normal filing fee. Upon inquiry by the Court of her, the Debtor stated that she could afford to pay the filing fee if given sixty days to do so.

Prior to the meeting of creditors, the court may order the filing fee paid to the clerk or grant leave to pay in installments and fix the number, amount and dates of payment. The number of installments shall not exceed four, and the final installment shall be payable not later than 120 days after filing the petition. For cause shown, the court may extend the time of any installment, provided the last installment is paid not later than 180 days

¹ The motion will be treated as a motion to waive the filing fee only. A motion to proceed informa pauperis is a motion to waive all fees in a case. *See* Black's Law Dictionary (9th ed. 2009), defining "in forma pauperis" thus: "In the manner of an indigent who is permitted to disregard filing fees and court costs." The motion before the court only concerns waiver of the Debtors' initial filing fee. Further, the Federal Rule concerning proceeding in forma pauperis, codified at 28 U.S.C. § 1915, is not applicable in bankruptcy cases.

after filing the petition.

Fed.R.Bankr.P. 1006(b)(2).

After questioning the Debtor at the hearing on this matter, the court concluded, for good cause appearing, that the Debtor should have until September 13, 2013, to pay the filing fee due in this case. It was also determined that the payment of the filing fee shall be made in one payment. It is therefore

O R D E R E D

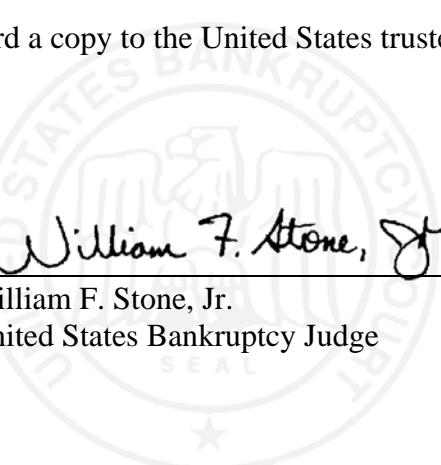
That the Debtor shall have until **September 13, 2013**, to pay the filing fee due in this case in the amount of \$306.00. It is further ORDERED that the Debtor shall pay the filing fee in one payment to:

Clerk, United States Bankruptcy Court
1101 Court Street
Room 166
Lynchburg, Virginia, 24504.

The payment must be received by the Clerk by the due date.

Upon entry of this Order, the Clerk shall forward a copy to the United States trustee, the Chapter 7 trustee, and the Debtor.

Entered on this 24th day of July, 2013.


William F. Stone, Jr.
William F. Stone, Jr.
United States Bankruptcy Judge